

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** Chair Jeff Essmann, on February 13, 2015 at 8:00 AM, in Room 455  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Jeff Essmann, Chair (R)  
Rep. Bill Harris, Vice Chair (R)  
Rep. Casey Schreiner, Vice Chair (D)  
Rep. Bryce Bennett (D)  
Rep. Bob Brown (R)  
Rep. Moffie Funk (D)  
Rep. Frank Garner (R)  
Rep. Edward Greef (R)  
Rep. Denise Hayman (D)  
Rep. Jessica Karjala (D)  
Rep. Debra Lamm (R)  
Rep. Forrest Mandeville (R)  
Rep. Wendy McKamey (R)  
Rep. Dale Mortensen (R)  
Rep. Jean Price (D)  
Rep. Ray L. Shaw (R)  
Rep. Kathy Swanson (D)  
Rep. Susan Webber (D)  
Rep. Art Wittich (R)

**Members Excused:**

Rep. Austin Knudsen (R)

**Members Absent:** None

**Staff Present:** Jennifer Petersen, Committee Secretary  
Sheri Scurr, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 335, 2/9/2015; HB 406, 2/9/2015; HB 409, 2/9/2015

00:00:01 Chair Essmann designates Rep. Schreiner as Chair  
00:01:43 Chair Schriener

**HEARING ON HB 335**

**Opening Statement by Sponsor:**

00:01:59 Rep. Rob Cook (R), HD 18, opened the hearing on HB 335, Clarifying  
"electioneering communication" within election laws.

**Proponents' Testimony:**

00:02:53 Chair Schreiner  
00:03:04 Andrew Huff, Chief Legal Counsel, Office of the Governor  
00:03:22 Jonathan Motl, Commissioner of Political Practices (COPP)  
00:05:52 Chair Schreiner

**Opponents' Testimony:**

00:06:06 Rep. Essmann (HD 54)  
00:09:20 Chair Schreiner  
00:09:26 Brent Mead, Executive Director, Montana Policy Institute (MPI)  
00:11:11 Chris Gallus, self  
00:13:08 Chair Schreiner  
00:13:13 Jeff Laszloffy, Montana Family Foundation (MFF)  
00:22:12 Chair Schreiner

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:22:31 Rep. Wittich  
00:23:05 Andrew Huff, Office of the Governor  
00:24:13 Rep. Wittich  
00:25:16 Andrew Huff, Office of the Governor  
00:25:23 Rep. Hayman  
00:25:58 Rep. Cook  
00:26:25 Rep. Karjala  
00:26:55 Jonathan Motl, COPP  
00:27:33 Rep. Karjala  
00:27:49 Jonathan Motl, COPP  
00:28:16 Chris Gallus, self  
00:30:10 Rep. Karjala  
00:30:38 Chris Gallus, self  
00:30:51 Rep. Garner  
00:31:23 Rep. Cook  
00:33:23 Rep. B. Bennett  
00:33:57 Andrew Huff, Office of the Governor  
00:35:22 Rep. Mandeville  
00:35:54 Andrew Huff, Office of the Governor  
00:36:54 Rep. Mandeville  
00:37:05 Andrew Huff, Office of the Governor  
00:37:20 Chair Schreiner

00:37:49 Jeff Laszloffy, MFF  
 00:38:22 Chair Schreiner  
 00:38:47 Jeff Laszloffy, MFF  
 00:39:26 Rep. Karjala  
 00:39:39 Jeff Laszloffy, MFF  
 00:40:04 Rep. Karjala  
 00:40:13 Jeff Laszloffy, MFF  
 00:40:48 Rep. Karjala  
 00:41:04 Chair Schriener  
 00:41:12 Jeff Laszloffy, MFF  
 00:41:19 Rep. Karjala  
 00:41:45 Chair Schreiner

**Closing by Sponsor:**

00:41:59 Rep. Cook  
 00:43:03 Chair Schreiner hands gavel back to Rep. Essmann

**HEARING ON HB 406**

**Opening Statement by Sponsor:**

00:43:48 Chair Essmann  
 00:44:10 Rep. Rob Cook (R), HD 18, opened the hearing on HB 406, Require compliance with campaign finance as a prerequisite of state contracts.  
 00:45:20 Chair Essmann

**Proponents' Testimony:**

00:45:31 Andrew Huff, Chief Legal Counsel, Office of the Governor  
 00:47:19 Chair Essmann  
 00:47:26 Andrew Huff, Office of the Governor

**EXHIBIT(sth33a01)**

00:47:44 Jonathan Motl, COPP

**EXHIBIT(sth33a02)**

00:50:44 Chair Essmann

**Opponents' Testimony:**

00:51:19 Jeff Laszloffy, Montana Family Foundation (MFF)  
 00:51:55 Chair Essmann

**Informational Testimony:**

00:52:06 Chris Gallus, self  
 00:52:22 Chair Essmann  
 00:52:26 Chris Gallus, self  
 00:53:44 Chair Essmann  
 00:53:52 Brad Sanders, Chief Procurement Officer, Department of Administration (DOA)  
 00:54:12 Chair Essmann

**Questions from Committee Members and Responses:**

00:54:20 Rep. Wittich  
 00:54:51 Brad Sanders, DOA

00:55:01 Rep. Wittich  
00:57:20 Andrew Huff, Office of the Governor  
00:58:28 Rep. Wittich  
00:59:23 Andrew Huff, Office of the Governor  
01:00:42 Rep. McKamey  
01:01:10 Andrew Huff, Office of the Governor  
01:01:29 Rep. McKamey  
01:01:46 Andrew Huff, Office of the Governor  
01:02:10 Rep. Webber  
01:02:55 Brad Sanders, DOA  
01:03:17 Chair Essmann  
01:03:31 Brad Sanders, DOA  
01:03:40 Chair Essmann  
01:04:23 Jonathan Motl, COPP  
01:06:09 Chair Essmann  
01:06:26 Jonathan Motl, COPP  
01:08:33 Chair Essmann  
01:08:39 Jonathan Motl, COPP  
01:09:01 Chair Essmann  
01:09:55 Jonathan Motl, COPP  
01:11:12 Chair Essmann  
01:11:17 Jonathan Motl, COPP  
01:11:37 Chair Essmann  
01:11:45 Jonathan Motl, COPP  
01:12:02 Chair Essmann  
01:12:07 Rep. Wittich  
01:13:31 Rep. Cook  
01:13:39 Rep. Wittich  
01:13:51 Rep. Cook  
01:13:55 Rep. Wittich  
01:14:27 Rep. Cook  
01:15:40 Chair Essmann

**Closing by Sponsor:**

01:15:45 Rep. Cook  
01:17:15 Chair Essmann

**HEARING ON HB 409****Opening Statement by Sponsor:**

01:17:42 Rep. Bryce Bennett (D), HD 91, opened the hearing on HB 409, Generally revise campaign finance laws related to corporations.  
01:22:29 Chair Essmann

**Proponents' Testimony:**

01:22:37 Andrew Huff, Chief Legal Counsel, Office of the Governor

**[EXHIBIT\(sth33a03\)](#)**

01:24:48 Jonathan Motl, Commissioner of Political Practices (COPP)

**[EXHIBIT\(sth33a04\)](#)**

01:25:04 Chair Essmann  
01:25:15 Jonthan Motl, COPP  
01:25:27 Chair Essmann

**Opponents' Testimony:** None

**Informational Testimony:**

01:25:48 Jorge Quintana, Chief Legal Counsel, Office of the Secretary of State (SOS)

**Questions from Committee Members and Responses:**

01:26:15 Rep. Lamm  
01:26:48 Jonathan Motl, COPP  
01:27:18 Rep. Wittich  
01:27:45 Jorge Quintana, SOS  
01:27:50 Rep. Wittich  
01:28:42 Jorge Quintana, SOS  
01:29:15 Rep. Wittich  
01:29:47 Rep. B. Bennett  
01:30:21 Rep. Wittich  
01:30:38 Rep. B. Bennett  
01:30:51 Rep. Wittich  
01:31:06 Rep. B. Bennett  
01:31:16 Rep. Garner  
01:31:40 Jorge Quintana, SOS  
01:32:31 Rep. McKamey  
01:33:35 Jorge Quintana, SOS  
01:33:41 Rep. McKamey  
01:33:47 Jorge Quintana, SOS  
01:34:11 Chair Essmann  
01:34:28 Andrew Huff, Office of the Governor  
01:34:41 Chair Essmann  
01:36:00 Andrew Huff, Office of the Governor  
01:36:31 Chair Essmann  
01:36:50 Andrew Huff, Office of the Governor  
01:37:01 Chair Essmann  
01:37:52 Andrew Huff, Office of the Governor  
01:38:19 Rep. Garner  
01:39:01 Andrew Huff, Office of the Governor  
01:39:32 Chair Essmann

**Closing by Sponsor:**

01:39:44 Rep. B. Bennett  
  
01:42:10 Chair Essmann, Recess  
02:01:30 Chair Essmann, Reconvene

**EXECUTIVE ACTION ON HB 236**

02:02:44 Sheri Scurr, Legislative Services Division (LSD)

02:03:07 Chair Essmann

02:03:11 **Motion:** Rep. Harris moved that **HB 236 DO PASS AS AMENDED.**

**Discussion:**

02:03:39 Rep. McKamey

02:04:30 Rep. Garner

02:05:06 Rep. B. Bennett

02:06:36 Chair Essmann

02:06:41 Rep. Harris

02:06:59 Rep. McKamey

02:08:24 Rep. Schreiner

02:09:05 Rep. Price

02:09:39 Rep. Funk

02:10:19 **Vote:** Motion failed 9-11 by roll call vote with Rep. Bennett, Rep. Essmann, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Webber voting aye. Rep. Knudsen voted by proxy.

02:11:50 **Motion/Vote:** Rep. Garner moved that **HB 236 BE TABLED.** Motion carried unanimously by voice vote. Rep. Knudsen voted by proxy.

**EXECUTIVE ACTION ON HB 392**

02:12:35 Sheri Scurr, LSD

02:12:58 **Motion:** Rep. Harris moved that **HB 392 DO PASS.**

02:13:02 Rep. Garner

02:13:54 Chair Essmann

02:14:13 **Vote:** Motion carried unanimously by voice vote. Rep. Knudsen voted by proxy.

**EXECUTIVE ACTION ON HB 400**

02:14:52 Sheri Scurr, LSD

02:15:09 **Motion:** Rep. Harris moved that **HB 400 DO PASS.**

02:15:48 **Motion:** Rep. Essmann moved that **HB 400 BE AMENDED.**

**EXHIBIT**(sth33a05)

02:16:58 **Vote:** Motion carried unanimously by voice vote. Rep. Knudsen voted by proxy.

02:17:21 **Motion:** Rep. Harris moved that **HB 400 DO PASS AS AMENDED.**

**Discussion:**

02:17:32 Rep. Funk  
02:18:35 Rep. Karjala  
02:19:08 Rep. Harris  
02:19:25 Rep. McKamey  
02:20:15 Rep. Lamm  
02:20:35 Rep. Mandeville

02:21:08 **Vote:** Motion carried 15-5 by roll call vote with Rep. Brown, Rep. Lamm, Rep. Mandeville, Rep. McKamey and Rep. Mortensen voting no. Rep. Knudsen voted by proxy.

**EXECUTIVE ACTION ON HJ 3**

02:22:36 Chair Essmann  
02:22:56 Sheri Scurr, LSD

02:23:23 **Motion:** Rep. Harris moved that **HJ 3 DO PASS.**

02:23:38 **Motion:** Rep. B. Bennett moved that **HJ 3 BE AMENDED.**

**EXHIBIT**(sth33a06)

02:25:40 Rep. Karjala  
02:26:40 Rep. McKamey  
02:27:32 Rep. Greef

02:28:22 **Vote:** Motion carried 12-8 by roll call vote with Rep. Brown, Rep. Essmann, Rep. Harris, Rep. Knudsen, Rep. Lamm, Rep. Mandeville, Rep. McKamey and Rep. Mortensen voting no. Rep. Knudsen voted by proxy.

02:29:39 **Motion:** Rep. Harris moved that **HJ 3 DO PASS AS AMENDED.**

**Discussion:**

02:29:53 Rep. Garner  
02:30:22 Rep. Harris  
02:31:17 Rep. Webber  
02:31:56 Rep. Wittich  
02:35:35 Rep. Hayman  
02:36:28 Rep. Shaw

02:37:03 **Vote:** Motion failed 5-15 by roll call vote with Rep. Bennett, Rep. Karjala, Rep. Price, Rep. Schreiner and Rep. Swanson voting aye. Rep. Knudsen voted by proxy.

02:38:28 **Motion/Vote:** Rep. Garner moved that **HJ 3 BE TABLED.** Motion carried unanimously by voice vote. Rep. Knudsen voted by proxy.

02:38:59 Chair Essmann

**EXECUTIVE ACTION ON SB 63**

02:39:39 Sheri Scurr, LSD

02:40:12 **Motion:** Rep. Harris moved that **SB 63 BE CONCURRED IN.**

02:40:31 **Vote:** Motion carried unanimously by voice vote. Rep. Knudsen voted by proxy. Rep. McKamey will carry the bill.

**EXECUTIVE ACTION ON SB 64**

02:41:46 Sheri Scurr, LSD

02:42:28 **Motion:** Rep. Harris moved that **SB 64 BE CONCURRED IN.**

**Discussion:**

02:42:52 Chair Essmann

02:43:01 Rep. McKamey

02:44:54 Rep. Shaw

02:47:33 Chair Essmann

02:48:05 **Vote:** Motion carried unanimously by voice vote. Rep. Knudsen voted by proxy. Rep. Shaw will carry the bill.

**EXECUTIVE ACTION ON SB 72**

02:48:52 Sheri Scurr, LSD

02:49:16 **Motion:** Rep. Harris moved that **SB 72 BE CONCURRED IN.**

**Discussion:**

02:49:32 Rep. Wittich

02:50:39 Rep. B. Brown

02:51:17 Rep. B. Bennett

02:52:32 Rep. Schreiner

02:53:15 Rep. McKamey

02:53:44 Rep. Harris

02:54:24 Chair Essmann

02:55:05 **Vote:** Motion carried 17-3 by roll call vote with Rep. Bennett, Rep. Hayman and Rep. Price voting no. Rep. Knudsen voted by proxy. Rep. Brown will carry the bill.

02:57:21 Chair Essmann



**ADJOURNMENT**

Adjournment: 02:58:14

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Jennifer Petersen, Secretary

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Additional Documents:

**EXHIBIT**([sth33aad.pdf](#))